

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. MJ 13-416
Plaintiff,)
)
v.)
) DETENTION ORDER
KULWINDER SAROYA,)
)
Defendant.)
_____)

Offense charged: Attempted Distribution of Cocaine Base; Distribution of Cocaine Base

Date of Detention Hearing: August 30, 2013.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant was arrested on August 27, 2013 when search and seizure warrants

01 were served at the Travelers Choice Motel and Great Bear Motel in Tukwila, in which he has an
02 ownership interest. Defendant is a naturalized citizen of the U.S. He has some family ties to
03 India and has traveled to India approximately 5 to 6 times since entering the United States at age
04 eighteen. His criminal record includes charges for obstructing a public officer and making a
05 false statement to a public servant, both of which were dismissed after entering into a stipulated
06 order of continuance and performing community service or unsupervised probation.
07 Defendant was convicted of assault in the 4th degree and obstructing a law enforcement officer
08 in 2010. The AUSA proffers an allegation that defendant attempted to communicate with
09 another co-defendant after arrest on the instant charges, urging him to not talk to law
10 enforcement.

11 2. The government alleges that defendant was not truthful to pretrial services about
12 substance abuse and is a user of methamphetamine. They allege that methamphetamine was
13 observed in defendant's vehicle by a law enforcement officer who was present at the motel
14 premises investigating the discovery of a dead body.

15 3. Cash in the amount of \$131,000 was seized from defendant's residence at the
16 time of arrest and his residence has been identified as a forfeitable asset in the pending criminal
17 case. A number of other bank accounts were also seized and are subject to a forfeiture action.

18 4. Defendant poses a risk of nonappearance due to ties to India and recent travel, as
19 well as access to large amounts of cash. He poses a risk of danger due to alleged substance
20 abuse and criminal history.

21 5. There does not appear to be any condition or combination of conditions that will
22 reasonably assure the defendant's appearance at future Court hearings while addressing the

01 danger to other persons or the community.

02 It is therefore ORDERED:

- 03 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
04 General for confinement in a correction facility separate, to the extent practicable, from
05 persons awaiting or serving sentences or being held in custody pending appeal;
- 06 2. Defendant shall be afforded reasonable opportunity for private consultation with
07 counsel;
- 08 3. On order of the United States or on request of an attorney for the Government, the
09 person in charge of the corrections facility in which defendant is confined shall deliver
10 the defendant to a United States Marshal for the purpose of an appearance in connection
11 with a court proceeding; and
- 12 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
13 for the defendant, to the United States Marshal, and to the United State Pretrial Services
14 Officer.

15 DATED this 30th day of August, 2013.

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18 Mary Alice Theiler
19 Chief United States Magistrate Judge
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